## REMARKS

Claims 1-29 are now in this application. Claims 1-26 are rejected. Claims 1-5, 8, 11, 13, 17-22 and 24-26 are amended herein to clarify the invention, to broaden language as deemed appropriate and to address matters of form unrelated to substantive patentability issues. New claims 27-29 are added.

A replacement abstract is provided herein on a separate page. It is submitted that the replacement abstract is in full conformance with 37 CFR 1.72 and MPEP 608.01(b). No new matter is added.

Applicant herein traverses and respectfully requests reconsideration of the rejection of the claims cited in the above-referenced Office Action.

Claims 5-11, 17, 20, 5-8/12-16 and 21-26 are rejected as indefinite under 35 U.S.C. § 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter of the invention as a result of informalities stated in the Office Action, including use of the word "adapted". The claims are amended to remove or correct the informalities noted in the Office Action. Therefore, reconsideration of the rejection of claims 5-11, 17, 20, 5-8/12-16 and 21-26 and their allowance are earnestly requested.

Claims 1, 1/12, 1/13, 1/15 and 1/16 are rejected under 35 U.S.C. § 102(b) as being anticipated by Palombi (US 5,029,397). Applicant herein respectfully traverses these rejections.

For a rejection to be sustained under §102(b) each and every element of the claimed invention must be disclosed in the cited prior art reference. It is respectfully submitted that the cited reference fails to disclose at least the following features and elements of the present invention as noted herein.

Independent claim 1 recites "dimension measuring means for directly measuring a linear dimension." The recited element provides a structural feature by which a linear dimension can be measured directly. It is respectfully submitted that the cited reference fails to provide such feature. Rather, in contrast with the claimed recitation, the invention disclosed in Palombi relies strictly upon the use of two reference points spaced apart by a known distance and which function as a required scale for trigonometric calculations used to relate a measured angular displacement of a laser to distance.

Claim 1 is amended and particularly describes and distinctly claims at least one element not disclosed in the cited reference. Claims 1/12, 1/13, 1/15 and 1/16 depend from claim 1 and therefore also contain this feature lacking in Palombi. Therefore, reconsideration of the rejections of claims 1, 1/12, 1/13, 1/15 and 1/16 and their allowance are respectfully requested.

Claims 2, 3, 3/12, 3/13, 3/15, 3/16, 4-8, 4-8/12, 4-8/13, 4-8/15, 4-8/16, 9-11, 14 and 17-26 are rejected as obvious over Palombi under 35 U.S.C. §103(a). The applicant herein respectfully traverses this rejection. For a rejection under 35 U.S.C. §103(a) to be sustained, the differences between the features of the combined references and the present invention must be obvious to one skilled in the art.

It is respectfully submitted that the Palombi reference cannot render the rejected claims obvious because the reference does not provide the teaching noted above with respect to the anticipation rejection of claim 1, from which the rejected claims depend. Thus, the reference fails to teach or suggest all the claim limitations as properly required for establishing a *prima facie* case of obviousness.

It is noted that the Palombi reference differs significantly in structure from the claimed invention. For example, as disclosed, the invention of Palombi is configured to require line-of-sight measurement, a limitation not necessarily encountered in accordance with practice of the claimed invention. Moreover, while the Examiner states that tape measures are notoriously well known measurement devices, no prior art documents in support of this position are cited, nor has any indication been given as to how one skilled in the art would go about modifying the structural elements disclosed in Palombi to arrive at the claimed invention, which is directed to a structural apparatus which includes a device for taking a linear measurement directly. One skilled in the art, therefore, does not receive the requisite guidance as to how to modify the teachings of Palombi to enable use of tape

measures or other linear measurement devices in connection with the structure disclosed therein, such that the skilled artisan would a reasonable expectation of success at arriving at the claimed invention.

Thus, it is respectfully submitted that the rejected claims are not obvious in view of the cited reference for the reasons stated above. Reconsideration of the rejection of the claims 2, 3, 3/12, 3/13, 3/15, 3/16, 4-8, 4-8/12, 4-8/13, 4-8/15, 4-8/16, 9-11, 14 and 17-26 and their allowance are respectfully requested.

Claims 27-29 are added and are submitted as patentable over the cited art of record insofar as they recite features not believed disclosed in the cited art in the manner as claimed. Favorable action on the merits is earnestly solicited.

Three (3) claims in excess of twenty are added. Accordingly, please charge the fee of $27 to Deposit Account No. 10-1250.

Applicant respectfully requests a two (2) month extension of time for responding to the Office Action. Please charge the fee of $205 for the extension of time to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,
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## APPENDIX I

AMENDED CLAIMS WITH AMENDMENTS INDICATED THEREIN BY BRACKETS AND UNDERLINING

1. (Amended) A vehicle alignment gauging system, comprising:

[including] dimension measuring means[,]for directly measuring a linear dimension;

output signal generation means [adapted to generate] for generating an output signal corresponding to [dimensions] the linear dimension indicated by the measuring means[,];

storage means [to store] for storing reference data corresponding to standard reference dimensions for a selected vehicle[,];

comparator means [to compare] for comparing the output signal with a selected reference dimension from the storage means and [to generate] generating an error signal indicative of the variation therebetween[,]; and

variation display means [to provide] for providing a visual indication of the magnitude of the variation, thereby, in use, to provide a quantitative indication of structural misalignment.

2. (Amended) A system according to claim 1, wherein [the] said measuring means include an extendable measuring tape, and the output signal is indicative of one of an operative [or] and extended length of the tape.

3. (Amended) A system according to claim 2, wherein said measuring tape comprises a flexible steel blade calibrated with visual indicia and [adapted to extend] which is extendable by unwinding from a spool contained within a housing.

4. (Amended) A system according to claim 3, further including bias means for applying a biasing force tending resiliently to retract the tape by rewinding onto the spool.

5. (Amended) A system according claim 4, wherein the output signal generation means include a position transducer [adapted to generate] which generates the output signal in [the] a form of one of an electric current [or] and a voltage indicative of said one of the operative and extended length of the measuring tape.

8. (Amended) A system according to claim 7, further including output signal display means [to display] for displaying a visual indication of said one of the operative and extended length of the measuring tape according to the output signal, thereby to permit visual correlation between the indicia on the measuring tape and the output signal.

11. (Amended) A system according to claim 10, wherein the output signal display means associated with each said measuring tape are disposed one of on [or] and adjacent said housing.

13. (Amended) A system according to claim 12, wherein said storage means include [one or more] at least one of a CD ROM, a floppy disk, an internal hard disk, a magnetic tape drive, random access memory (RAM) [or] and read only memory (ROM).

17. (Twice amended) A system according to claim 10, wherein the variation display means are disposed one of on [or] and adjacent the housing to provide direct feedback of the error signal to the operator while working on the vehicle.

18. (Twice amended) A system according to any one of claims 1 to 8, further including [recordal] recording means [adapted to record] for recording the error signal in relation to the corresponding reference dimension in response to a command input by an operator, thereby to provide a record of the extent of structural deviation from specification after repair work has been carried out.

19. (Amended) A system according to claim 18, wherein the [recordal] recording means include printing means [adapted to produce] for producing a hard copy of a report after repair operations have been carried out, to confirm that deviations from specification are within acceptable tolerances.

20. (Twice amended) A system according to claim 10, further including a remotely operable scrolling mechanism, located on or adjacent the housing, [to permit] for permitting an operator to scroll through a range of selected reference dimensions and to view on the variation display means a corresponding sequence of calculated variation measurements derived from the error signals while working on the vehicle.

21. (Twice amended) A system according to any one of claims 1 to 8, further [including]comprising:

a datum bar[,];

a pair of first carriage assemblies slidably mounted to the datum bar[,];

attachment means [adapted] for releasably [to secure] securing each of said first carriage assemblies to a respective datum point on the vehicle and thereby to suspend the datum bar in a transverse orientation beneath the vehicle[,]; and

a trammel bar connected at one end to said datum bar by connection means, the connection means being adjustable to selected positions along the datum bar and

permitting a degree of universal movement of the trammel bar relative to the datum bar.

22. (Amended) A system according to claim 21, wherein the measuring means are [adapted for mounting] mountable on the trammel bar to provide measurement readings relative to the datum bar.

24. (Twice amended) A system according to claim 10, wherein:

said housing further includes a slidable reference pointer [adapted for connection] connectable with the vertically oriented measuring tape for engagement with selected datum points on the vehicle such that with the trammel bar in a generally horizontal orientation[,];

the vertical tape provides a measure indicative of the vertical distance between the datum bar and the reference pointer; and

[the horizontal tape provides a measure indicative of the vertical distance between the datum bar and the reference pointer and] the horizontal tape provides a measure of the horizontal distance between the datum bar and the reference pointer.

25. (Amended) A system according to claim 24, further including adjustable [levelling] leveling means to indicate when the trammel bar is oriented horizontally relative to the vehicle.

26. (Amended) A system according to claim 25, wherein the [levelling] leveling means [take the form of] include a detachable spirit level.